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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/849,193	05/20/2004	Jin-Woo Park	1514.1042	7295

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EXAMINER

WILLIAMS, JOSEPH L

ART UNIT PAPER NUMBER

2879

DATE MAILED: 12/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/849,193

Applicant(s)

PARK ET AL

Examiner

Joseph L. Williams

Art Unit

2879

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-59 is/are pending in the application.
- 4a) Of the above claim(s) 15-59 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of claims 1-14 in the reply filed on 27 July 2006 is acknowledged. The traversal is on the ground(s) that the search would not be an undue burden upon the Examiner.

This is not found persuasive because the limitations of Groups II (Claims 15-47, a double-sided light emitting device, wherein the phase difference retardation value of each of the compensating plates is denoted by x , the phase difference retardation value, x , satisfies the following expression: $(n(\lambda)/2 \leq x \leq (n+1)\lambda/2$, where n is an integer number) and III (Claims 48-59, a double-sided light emitting device, wherein at a position where light emitted from the emission element is observed, the light emitted from the emission element is transmitted, and all external light incident at the observed position and at a position opposite to the observed position are blocked, and external light reflected within the emission element is blocked) are not required for Group I (a double-sided light emitting device with an upper layer of polarizing material disposed on at least one of inner and outer surfaces of the upper substrate; and a lower layer of polarizing material disposed on at least one of inner and outer surfaces of the lower substrate), and the limitations of Group II are not required for Group III.

The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 7-9, 13, and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Yuuki et al. (US 2006/0007372).

Regarding claim 1, Yuuki ('372) teaches in figure 3 and the corresponding paragraphs, a double-sided light emitting device (10) comprising: lower (15) and upper (17) substrates; an emission element (16) formed between an inner surface of the upper substrate and an inner surface of the lower substrate and emitting predetermined light; an upper layer of polarizing material (19) disposed on at least one of inner and outer surfaces of the upper substrate; and a lower layer of polarizing material (13) disposed on at least one of inner and outer surfaces of the lower substrate.

Regarding claim 2, Yuuki ('372) teaches the lower and upper layers of polarizing material are coating layers (read "resin") coated on the outer surfaces of the lower and upper substrates, respectively, and are disposed so that polarization axes of the lower and upper layers of polarizing material are perpendicular to each other.

Regarding claim 8, Yuuki ('372) teaches a double-sided light emitting device (10) comprising: lower (15) and upper (17) substrates; an emission element (16) formed between an inner surface of the upper substrate and an inner surface of the lower substrate and emitting predetermined light; an upper polarizing plate (19, read "resin") disposed on any one of inner and outer surfaces of the upper substrate; and a lower polarizing plate (13) disposed on any one of inner and outer surfaces of the lower substrate.

Regarding claim 7, Yuuki ('372) teaches the combined thickness of the half of the polarizing layer and phase difference plate is 50 to 100 microns. (The claimed thickness of the polarizing layer would fall within this range).

Regarding claim 9, Yuuki ('372) teaches the lower and upper polarizing plates are polarizing films (read "resin") bonded on the inner surfaces of the lower and upper substrates, respectively, and are disposed so that polarization axes of the lower and upper polarizing plates are perpendicular to each other.

Regarding claim 13, Yuuki ('372) teaches the combined thickness of the half of the polarizing layer and phase difference plate is 50 to 100 microns. (The claimed thickness of the polarizing layer would fall within this range).

Regarding claim 14, Yuuki ('372) teaches the lower and upper polarizing plates have polarization axes disposed to be perpendicular to each other.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-6 and 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yuuki et al. (US 2006/0007372), of record by Examiner.

Regarding claims 3-6 and 10-13, Yuuki ('372) teaches all of the claimed limitations except for the various claimed locations of the lower and upper polarizing means.

Further regarding claims 3-6 and 10-13, the Applicant has not disclosed any criticality to the various alternative positions claimed. Since the prior art of record discloses one of the claimed positions of the lower and upper polarizing layers (see claims 2 and 9) and the Applicant has not disclosed any criticality, it is the position of the Examiner that the claimed locations of the lower and upper polarizing layers are an obvious choice in design.

Hence, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the polarizing layers of Yuuki for the purpose of

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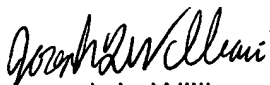
improving the brightness of a display device. The position of the polarizing layers are an obvious choice in design.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph L. Williams whose telephone number is (571) 272-2465. The examiner can normally be reached on M-F (6:30 AM-3:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar D. Patel can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Joseph L. Williams
Primary Examiner
Art Unit 2879